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15 FIDELITY AND DEPOSIT COMPANY OF
MARYLAND
16

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18 **UNITED STATES DISTRICT COURT**
19 **DISTRICT OF NEVADA**

20 FIDELITY AND DEPOSIT COMPANY OF
MARYLAND, a Maryland corporation,

21 Plaintiff,

22 vs.

23 BIG TOWN MECHANICAL, LLC, a Nevada
24 limited liability company; TRAVELERS
CASUALTY AND SURETY COMPANY OF
25 AMERICA, a Connecticut corporation; DOES I
through X; and ROE CORPORATIONS I-X;
26 inclusive,

27 Defendants.
28

CASE NO.: 2:13-cv-00380-JAD-GWF

**STIPULATION RE: MOTION FOR
SANCTIONS FOR SPOILIATION OF
EVIDENCE**

**Hearing Date: May 22, 2017
Hearing Time: 9:30 AM**

1 TRAVELERS CASUALTY AND SURETY
2 COMPANY OF AMERICA, a Connecticut
corporation,

3 Counterclaimant,

4 vs.

5 FIDELITY AND DEPOSIT COMPANY OF
6 MARYLAND, a Maryland corporation, and
MOES I-X, inclusive,

7 Counter-Defendants.

8 FIDELITY AND DEPOSIT COMPANY OF
9 MARYLAND, a Maryland corporation,

10 Third-Party Plaintiff,

11 vs.

12 CONTROLCO, a California corporation; DOES
13 I through X; and ROE CORPORATION I-X,
inclusive,

14 Third-Party Defendant.

15
16 Plaintiff/Counter-Defendant, FIDELITY AND DEPOSIT COMPANY OF MARYLAND
17 ("F&D"), and Defendant, Defendant/Counterclaimant, TRAVELERS CASUALTY AND
18 SURETY COMPANY OF AMERICA ("Travelers"), by and through their respective counsel,
19 hereby stipulate and agree as follows:

20 1. F&D filed its Motion for Sanctions for Spoliation of Evidence [Doc. 172] on
21 April 17, 2017.

22 2. Travelers filed Defendant/Counterclaimant Travelers Casualty and Surety
23 Company of America's Opposition to Plaintiff/Counterdefendant Fidelity and Deposit Company
24 of Maryland's Motion for Sanctions for Spoliation of Evidence [Doc. 204] on May 1, 2017.

25 3. The deadline for F&D's reply to its Motion for Sanctions for Spoliation of
26 Evidence is currently May 8, 2017.

27 4. F&D shall have until **May 10, 2017** to file its reply.

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5. Pursuant to LR 7-1(c), as the instant stipulation is signed by fewer than all the parties' attorneys, the Court will treat it as a joint motion.

DATED this 8th day of May, 2017.

DATED this 8th day of May, 2017.

KOLESAR & LEATHAM

BOOTH, MITCHEL & STRANGE LLP

By /s/ William D. Schuller, Esq. _____

By /s/ Gregory H. Smith, Esq. _____

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FIDELITY AND DEPOSIT COMPANY OF
MARYLAND

ORDER

IT IS SO ORDERED this 9th day of May, 2017.


UNITED STATES MAGISTRATE JUDGE